

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**JANE E. BETHEL**

**Plaintiff,**

**v.**

**Civil Action No.: 2:15-cv-501**

**CITY OF NORFOLK**

**Defendant.**

**JANE E. BETHEL'S MEMORANDUM IN SUPPORT OF HER MOTION TO FILE  
CERTAIN DOCUMENTS UNDER SEAL**

COMES NOW, plaintiff Jane E. Bethel ("Bethel"), by counsel, pursuant to Rule 5.2 of the Federal Rules of Civil Procedure and Rule 5 of the Local Civil Rules of the United States District Court for the Eastern District of Virginia and for her Memorandum in Support of her Motion to File Certain Documents Under Seal (Document No 90), states as follows:

**Facts/Procedural History**

On November 15, 2016, this Honorable Court entered a Stipulated Protective Order Governing the Use of Confidential Information (Document No. 43—"the Protective Order"). On December 29, 2016, Bethel filed her Memorandum in Opposition to City of Norfolk's Motion for Summary Judgment (Document No. 59). Bethel submitted fifteen (15) exhibits in support of her Memorandum (See Documents number 59-1 through 59-15). Those exhibits contain information that is either confidential pursuant to the terms of the Protective Order or contains confidential information about certain witnesses named in supporting Affidavits that were attached as exhibits to the Memorandum.

### **Law and Argument**

Rule 26(c) of the Federal Rules of Civil Procedure allows the Court to order that certain confidential discovery documents be produced under seal. Moreover, Rule 5.2(e) of the Federal Rules of Civil Procedure provides that a Court may order, via a protective order, that certain information be redacted from filed documents. The Protective Order in this case provides that the parties may designate documents produced in discovery as "confidential." Placing documents 59-1 through 59-15 (the exhibits filed in support of Bethel's Memorandum in Opposition to City of Norfolk's Motion for Summary Judgment) would protect the privacy of individuals named in the Affidavit exhibits and protect the confidentiality of the other exhibits attached to the previously filed memorandum that were produced in discovery pursuant to the protective order.

### **Relief Sought**

Based on the foregoing, Bethel moves this Honorable Court to enter an order that previously filed documents 59-1 through 59-15, the exhibits that were previously filed in support of Bethel's Memorandum in Opposition to City of Norfolk's Motion for Summary Judgment (Documents No. 59) be placed under seal, and for any other relief the Court deems just.

**JANE E. BETHEL**

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**Certificate of Service**

I hereby certify that on February 6, 2017, I did file the foregoing document with the Clerk of this Court using Electronic Case Filing ("ECF") which then sent a Notice of Electronic Filing ("NEF") to the following persons:

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